



Alicia Day, Recreation  
Director

## CITY OF FITCHBURG RECREATION DEPARTMENT

301 Broad Street, 2<sup>nd</sup> Floor  
Fitchburg, MA 01420  
PHONE: 978-829-1818  
FAX: 978-345-9687

### Board Members:

Jon Ricciutti – Chairman  
James McGrath – Vice Chair  
Andy Roy  
Mary Whitney  
Dave Madigan

### Board of Park Commissioners Meeting Date: Tuesday, March 3<sup>rd</sup>, 2015

#### **Call to Order:**

The March 3<sup>rd</sup>, 2015 meeting was called to order at 5:30pm by Jon Ricciutti.

#### **Commission Member Present:**

Chairman Jon Ricciutti, Mary Whitney, David Madigan, James McGrath, and Andy Roy  
(Circled are absent)

#### **Others Present:**

Lenny Laakso, Amy LeBlanc, Anthony Maressa, Albert Ortiz, Silas Dobson (Green Street), Councilman Joel Kaddy, John Barrett, Mayor Lisa Wong

Meeting opened with the Pledge of Allegiance. Led by Jim McGrath

#### **Minutes of the Meeting:**

A motion was made by Jim McGrath and seconded by Mary Whitney that the February minutes are accepted. Motion 4-0

#### *Planning Board Report:*

Report Made by Amy LeBlanc. (see attached report).

A motion was made by Dave Madigan and seconded by Mary Whitney to request the report be accepted. Motion 4-0

#### *Friends of Coggs Hall Report:*

Report was tabled.

A motion was made by Jim McGrath and seconded by Dave Madigan to request the report be tabled to next meeting. Motion 4-0.

*Parks Maintenance Report:*

Report Made by Lenny Laakso. (See Attached Report).

A motion was made by Mary Whitney and seconded by Dave Madigan to request the report be accepted. Motion 4-0.

*Recreation Department Report:*

Report made by Alicia Day, Recreation Director.

A motion was made by Mary Whitney and seconded by Dave Madigan to request the report be accepted. Motion 4 -0.

*RiverFront Park Update:*

Report by Mary Whitney. The friends of Riverfront are trying to find funds for future maintenance of the park. They will use same landscaping plan and company, Budreau Brothers, for this coming year.

A motion was made by Dave Madigan and seconded by Jim McGrath to request the report be accepted. Motion 4 -0.

**Old Business:**

*Landry Arena:*

Report made by John Barrett and Mayor Lisa Wong. (See Letters and Mediation Proposal attached.)

If the lease and agreement of the null and void; then we need to plan for courses of action. Who has the authority and oversight for the building? The college seems open to mediation. Mayor is requesting the board look at the mediation packet and to make notes and potentially make a motion to do the above. Legality issue is still a concern; this issue should still be resolved.

John Barrett: Mediation is not binding, arbitration is binding. Do not believe that the university would do a binding arbitration. Mediation is also a cheaper option than the arbitration.

The firm suggested the mediation cost at \$5,000.00 renegotiating the lease would cost more. The board will have a better understanding after the City council meeting tonight.

A motion was made by Jim McGrath and seconded by Dave Madigan to table this decision and have a special meeting to meet with John Barrett in making a decision. Motion 4-0.

**New Business:**

**Name:** Silas Dobson, Ashlee Laffita, and Alex Moore, Twin Cities CDC (see attached report).

**Issue/ Request:** Requesting permission to go forward with renovations to Green Street Park.

A motion was made by Jim McGrath and seconded by Mary Whitney to let them move forward with the renovations but Twin Cities' needs to including Alicia Day, Lenny Laakso, and Amy Leblanc.

Motion 4-0.

**Name:** Trevor Bonilla and Amy LeBlanc, Beer is for Good

**Issue/ Request:** Requesting use of Riverfront Park on June 27<sup>th</sup>, 2015 for the Nashua River Brewer's Festival 1pm to 6pm.

A motion was made by Mary Whitney and seconded by Jim McGrath to waive the \$100.00 fee for this event. Motion 4-0.

A motion was made by Mary Whitney and seconded by Dave Madigan to approve the June 27<sup>th</sup>, 2015 date. Motion 4-0.

**Name:** Monty Tech United Way Youth Venture Students and Tim Roy

**Issue/ Request:** Group would like to create a community garden in one of the city's parks to vegetables to give back to the citizens of Fitchburg.

A motion was made by Mary Whitney and seconded by Dave Madigan to accept request start a community garden at Gateway Park. Motion 4-0.

**Name:** Diane Burnette, Director of Johnny Appleseed Visitors Center

**Issue/ Request:** Presenting a tile mural proposal for Riverfront Park. (See report attached.)

A motion was made by Dave Madigan and seconded by Jim McGrath to accept the tile mural project for Riverfront Park. Motion 4-0.

**Name:** Janet O'Brien, Program Manager for Growing Places

**Issue/ Request:** Giving a report on the community garden at the Sundial and would like to request permission to build a fence around this garden.

A motion was made by Mary Whitney and seconded by Dave Madigan to allow Growing Places to put in fence working through Lenny Laakso, DPW commissioner, and Alicia Day, Recreation Director. Motion 4-0.

**Community Issues:**

**Name:** Anthony Maressa, Civil Engineer for the City of Fitchburg

**Issue/ Request:** to allow the equipment at 1<sup>st</sup> and rail road to stay through the end of April.

A motion was made by Mary Whitney and seconded by Jim McGrath to accept Anthony Maressa's request. Motion 4-0.

**Adjournment:**

The meeting was adjourned by Jim McGrath and seconded by Dave Madigan. Motion 4-0.





City of Fitchburg, Massachusetts  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
HOUSING & DEVELOPMENT ♦ PLANNING ♦ ECONOMIC DEVELOPMENT

LARRY CASASSA  
*Director*

Report to the Board of Park Commissioners

Submitted by Amy LeBlanc, Community Development Office

March 3, 2015

LOWE PLAYGROUND

An easement was received from the Sundial in mid-February which allows the overhead lines which currently cross the park to be moved over the Sundial's parking lot. The new construction has begun. Unitil intends to complete the new construction work this week and do the actual cut over next week. This schedule is weather dependent. Comcast and Verizon work will follow.

PARKHILL SPLASHPAD

Draft plans and specifications have just been received for this project. Work includes full depth asphalt pavement replacement with color sealcoat, repair or replacement of activation bollard and sensor, repainting of upright spray components and lawn restoration immediately surrounding the splashpad. Full funding will not be available until July 1, 2015. Propose to bid over the summer, with work to begin after the park closes for the season.

FITCHBURG MUNICIPAL OFFICES

166 BOULDER DR, FITCHBURG, MA 01420-3125 ♦ PHONE: (978) 829-1890 ♦ FAX: (978) 829-1965

*The Community Development office is physically located in the Fitchburg Public Library, 610 Main Street*

*Michael O'Hara, Principal Planner has an office at the DPW Building, 301 Broad Street*

City of Fitchburg  
Department of Public Works

Parks Maintenance Report  
February 2015

- Sand and salted sidewalks and bridges
- Helped with plowing all week
- Cleaned bridges and sidewalks around town
- Plowed and sanded Coggs Hall Park and Coolidge Park
- Helped with plowing and hauling snow all week
- Parks employees are helping with daily work at Cemetery
- Removed snow from Senior Center after contractor removed it from roof
- Helped in getting trucks ready for snow storms



102 Inches in 5+ Weeks!

Jan 24- 8", Jan 27- 30", Feb 2- 20", Feb 5- 6", Feb 8/9- 18", Feb 12- 1", Feb 14/15- 12", Feb 19- 1"; Feb 22- 4"; Mar 1- 2"

## RECREATION DIRECTOR REPORT – March 3, 2015

### **Administration:**

#### **Director:**

- Bi-weekly Payroll turned in
- Weekly Deposits and Warrants turned in.
- Phase two of office renovation has been completed. (just need a door put in between rooms.)
- Crafted a resolution for the Board of Park Commissioners for the City Council. This was turned into the City Clerk's office by Jon Ricciutti and was ultimately rejected and changed to a special presentation request by Councilman Stephan Hay.
- Crafted an order for the Board of Park Commissioners for a request of \$5,000.00 to help start the legal process with the Superior Court in the matter of the Landry Arena. This was supported by the Mayor and is on next week's City Council agenda.
- Received a letter from CDBG Development Administrator, Mary McCaffery, let us know that we have been awarded \$80,000. (Please see attached letter.)
- Attended and took minutes for the February 10<sup>th</sup>, 2015 Parks Board Meeting.
- Fixed the summer job descriptions, per Bernie Stephens suggestions.
- Posted Summer job descriptions on Indeed and the Massachusetts Recreation and Parks association webpage.
- Updated Recreation City webpage.
- Forwarded a donation check that arrived at the Recreation office to the Friends of Coggs Hall.
- Communicating with Vinnie Rodriguez, Twin City CDC, on a collaboration to help improve Green Street Playground.
- Office was closed on Monday due observation of Presidents Day
- Created and updated fillable savable documents for Stonehouse rental, Coggs Hall Gazebo rental, one time field use form, Memorial application, and Course proposal form.
- Updated the Parks City webpage adding links to the fillable savable forms created above.
- Met with Melissa Green on creating a timeline and action item list for our Bike safety week programming that will take place at Reingold Elementary.
- Verified the use of the FHS fieldhouse for the Biddy League Championships on March 13, 2015.
- Verified the television coverage of the Biddy League Championship by FATV on the evening.
- Requested the Extension of the Coggs Hall Park hours for an event on March 7<sup>th</sup>, 2015 to 7:00pm
- Got the Recreation vehicle detailed.
- Communicating with Ashlee Laffita, Twin City CDC, on a collaboration to help improve Green Street Playground.
- Attended the ReImagine North of Main Advisory Committee meeting at FSU.
- Turned in the Parks Board agenda for Tuesday, March 3<sup>rd</sup>, 2015.
- Met with Amanda Kelly and youth from Monty Tech to help them start developing a community garden in one of our Fitchburg Parks. All produce grown will be given back to the community of Fitchburg.
- Issued new Building use forms out to Fran Thomas, Memorial Middle Principal, to fix issues due to Longsjo Gym damage. Mr. Thomas signed off on the building use forms and turned them in to FPS Building Maintenance.
- Communicating with City Solicitor, Chief of Police, and Commissioner of DPW on an altercation that took place at the Boys Biddy League Game on Thursday, February 26, 2015. Created a written warning to the individual in question, telling him that any further violation of the code of conduct will lead to a ban from the 2014 – 2015 biddy league season. This letter will be served by the Fitchburg Police department before Thursday, March 5<sup>th</sup>, 2015.



Met with:

- Jon Ricciutti – to write resolution for City Council and Order for the Mayor.
- Mike Pelland – Discussion of future plans for Goodrich Park. Dale Wheeler from the Family Resource Center was not able to make the meeting, so we created an additional meeting in March to continue the discussion.
- Dan Caples – Skyhawks
- Pete Hall – US Sports
- Melissa Green – Safe Routes to school
- Amanda Kelly – Youth Venture Vista for United way and Monty Tech
- Trevor Bonilla – Discussed MUNIS and website building for the Rec. Dept.
- John Murray – JBM Silk-screening to pick up extra Bidy League shirts and ordered men's league Champions t-shirts.
- Christina Gonzalez and other summer up staff – Discussing collaboration with summer programing and staff training.
- Ashlee Laffita and Alex Moore – discuss Twin City CDC's renovation of Green Street Park.

Recreation Assistant:

- Organized and filed and created a new file system for Parks Board minutes
- Contacted Fitchburg State University's career center to inform them of potential summer internships. Spoke with the administrative assistant of career services and sent her some further information. She will post on website, around campus, and in office.
- Managed social media each day.
- Cleaned and organized office while under construction to improve functionability.
- Revised program files for use in website creation.
- Researched department structure of local Recreation Departments
- Worked on updating brochure.
- Networked with local residents and businesses to find teachers, practitioners and other professionals who might be candidates for the initiation of spring program at the Stonehouse. Sent out course proposal forms to potential teachers who expressed interest.
- Arranged a detailing appointment for the department vehicle.
- Continued to search for free spaces to host various program ideas for the future.
- Organized and filed warrants and outdated documents.
- Cleaned and organized office while under construction to improve functionability.
- Researched schools and local businesses for open spaces.
- Created new files and provided material for 'new program ideas' and CDGB related material.
- Continued to search for free spaces to host various program ideas for the future.
- Compiled of list of Fitchburg natives in the fields of music and art for future events.
- Managed permitting process for parks.
- Researched mulch alternatives and tried to procure local sites to donate surplus.
- Researched the Mass Parks Association program ideas and resources.
- Researched schools and local businesses for open spaces. Spoke to Wil D'arcangelo of the Tribe about potential collaborations.
- Called Teva to inquire about surplus material, left a message with Tatum Adare in the Donations department.
- Created new files and provided material for 'new program ideas' and CDGB related material.
- Contact MWCC's career center to find out the process to post summer program job positions.
- Cleaned and reorganized office in its final stages of remodel.
- Transcribed informational documents about the Summer Program to public drive.



## Recreation Programs:

- Girl's Biddy League:
  - Photo night took place on February 24<sup>th</sup>, 2015.
  - Girl's games took place on Tuesday (2-10-15) and Wednesday (2-11-15) to make up a canceled game night.
  - No Biddy Basketball games or practices due to the public Schools February vacation week.
  - Had to permanently move three practices for Biddy League to allow space for the Men's games to take place at Memorial Monday and Wednesday night.
- Boys Biddy League:
  - Games took place on Thursday night (2-12-15) and Friday Night (2-13-15) to make up a canceled game night.
  - No Biddy Basketball games or practices due to the public Schools February vacation week. Had to permanently move three practices for Biddy League to allow space for the Men's games to take place at Memorial Monday and Wednesday night.
- Men's Winter Basketball League:
  - Monday Men's League games were canceled due to the inclement weather. Wednesday's game was also canceled due to the damage done to the gym from ice dams on the roof of Longsjø. Currently the league is on hold until the roof at Longsjø is fixed or a new location is found to host the remainder of the season.
  - No Men's Basketball games due to the public Schools February vacation week.
  - Due to the damage to the Longsjø Gym the Men's league had to move locations and the schedule is now changed to Mon and Wednesday games through March 25<sup>th</sup>, 2015 and a championship tournament happening at FSU recreation center on Sunday, March 29<sup>th</sup>, 2015.
- Took reservations for Coggs Hall Stonehouse and gazebo.
- Communicating with Amanda Kelly, Monty Tech's United Way Youth Venture Champion, on creating a new public garden in the Parks.
- Have chosen to go with US Sports institute for additional summer programming. We will be offering a Multi-sport program for 7-12 year olds and 3-5 year olds twice this summer and a Field Hockey clinic and a Lacrosse clinic.
- Working with Fran Thomas, Memorial Principal, to provide gym and field space to provide sports camps/clinics this summer. Currently we have his blessing to use Memorial from 9am to 3pm Monday through Wednesday for programming stated above.

## Requests:

1. Recreation department budget is due to the City on March 20<sup>th</sup>, 2015. Any suggestions from the Parks Board would be taken into consideration at this point.
2. I would like the board to approve vacation time requested from May 25<sup>th</sup>, 2014 – May 29<sup>th</sup>, 2015.



City of Fitchburg, Massachusetts  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
HOUSING & DEVELOPMENT ♦ PLANNING ♦ ECONOMIC DEVELOPMENT

LARRY CASASSA  
Director

March 3, 2015

Alicia Day, Director  
Recreation Department  
166 Boulder Drive  
Fitchburg, MA. 01420

Dear Ms. Day: *Alicia*

I would like to remind you that the Finance Committee will meet on Tuesday, March 10, 2015 at 7:30P.M. in the Memorial Middle School Library, at 615 Rollstone Street, Fitchburg, MA to discuss the proposed Year 41 CDBG Program. The Mayor has included the Parks and Playgrounds Improvement project for a total of \$80,000.00 to resurface and sealcoat the splashpad at Parkhill Park, replace the activation bollard, paint benches and address any electrical and/or plumbing issues at the site. The balance of funds will be used to install permanent bike racks at several CDBG eligible parks, and to re-grade and hydro-seed an existing soccer field at Coolidge Park.

Attendance is not required at this meeting, however you may wish to attend in order to hear any comments made and respond to any questions raised about your proposal.

If you have any questions, or would like to discuss this matter further, please feel free to call the office at (978) 829-1894.

Sincerely,

Mary McCaffrey  
Community Development Administrator

cc: Jon Riccuiitti



CITY OF FITCHBURG  
RECREATION DEPARTMENT

Mr. Casey Coil  
40 Forest Hill Avenue  
Fitchburg, MA 01460

March 3, 2015

Mr. Coil,

I am writing this letter in reference to the altercation that took place at Memorial Middle School on Thursday, February 26, 2015 in which you confronted a child on the opposing basketball team. The purpose of this letter is to let you know that you have violated the code of conduct for the Biddy Basketball League. (The entire code is attached.)

The code clearly states:

**Parents & Spectators will:**

- Remember that children participate in athletics to have fun.
- Remember that they are not the coach and will refrain from yelling instructions out onto the court.
- **Speak to the coach in private with any concerns and never in front of the children or on the court.**
- **Be a positive role model by respecting all players, coaches, referees, parents and spectators at all times.**
- Value skills development, fair competition and good effort. Recognize that the efforts of all children, your own team and opponents, is more important than the outcome of the game.
- **Refrain from rude or obnoxious behavior or comments toward the opposing team and officials, and never confront referees or other game personnel.**
- **Not encourage any behaviors or tactics that would endanger the health and well-being of anyone.**

Aggressive actions toward a child in any manner are unacceptable and your actions have caused a safety concern for the other children and parents in this league. The consequences of those actions are that you are being served a written warning. In addition, you will not be allowed to approach or interact with the players on the Dr. Yamin (gold) team in any way for the rest of the 2014 - 2015 season.

Any future violations of the code of conduct will result in a no trespassing order being issued, which would ban you from attending any games or practices for the rest of the 2014- 2015 season.

I hope that you can understand the need for this action and will abide by this ruling.

Fitchburg Recreation Department





## **Fitchburg Recreation Biddy League Basketball 2014-2015**

### **CODE OF CONDUCT**

**Intent:** The Fitchburg Recreation Department promotes good conduct by all participants including players, coaches, referees, parents and spectators. Appropriate conduct will provide a safe athletic environment, good role models and a sense of community spirit throughout the league. Biddy League participants are to maintain and promote the highest standards of conduct at all times.

#### **Everyone will:**

1. Respect all players, coaches, referees, parents and spectators.
2. Respect the property of others including all gym facilities.
3. Not taunt, boo, or make negative comments about any players, coaches, referees, parents and spectators.
4. Remember that sports for children should be about having fun.

#### **Players will:**

1. Play for fun.
2. Work hard to improve skills, learn the game and play by the rules.
3. Follow coaches directions and instructions.
4. Always respect teammates, opponents, coaches and referees.
5. Support teammates at all times.
6. Shake hands with opponents after the game.

#### **Parents & Spectators will:**

1. Remember that children participate in athletics to have fun.
2. Remember that the game is for the children, not for the adults.
3. Remember that they are not the coach and will refrain from yelling instructions out onto the court.
4. Speak to the coach in private with any concerns and never in front of the children or on the court.
5. Be a positive role model by respecting all players, coaches, referees, parents and spectators at all times.
6. Value skills development, fair competition and good effort. Recognize that the efforts of all children, your own team and opponents, is more important than the outcome of the game.
7. Cheer for all children on the team in a positive fashion, not just your own child.
8. Refrain from rude or obnoxious behavior or comments toward the opposing team and officials, and never confront referees or other game personnel.
9. Not encourage any behaviors or tactics that would endanger the health and well-being of anyone.



**Coaches will:**

1. Make skill development, sportsmanship, teamwork, fun and learning the game the goals of the team.
2. Be positive role model by respecting all players, coaches, referees, parents and spectators at all times.
3. Learn and play by the rules of the game.
4. Be as respectful and restrained as possible in response to calls by officials.
5. Never lose their temper.
6. Be generous in their praise, emphasizing the efforts of players over the outcome of the game.
7. Be fair, honest and consistent in coaching philosophies and practices.
8. Recognize that children learn differently and adapt coaching to each child's needs accordingly.
9. Communicate clearly to players and parents about goals for the team and what behavior is appropriate.
10. Provide a safe environment for the children to play.
11. Will not attend any league function; (practice, games, and/or meetings), under the influence of Drugs or Alcohol.
12. Will not smoke in the presence of children at league functions.
13. Go over this code with their participants and their parents.

**Referees:**

**The following guidelines are for ethical standards of conduct for all officials both Adult and Youth. It is expected that Referees will:**

1. Exercise a high level of self-discipline, independence and responsibility. Master both the rules of the game and the mechanics necessary to enforce the rules, and shall exercise authority in an impartial, firm and controlled manner.
2. Work with each other in a constructive and cooperative manner.
3. Uphold the honor and dignity of the profession in all interactions with players, coaches, parents, colleagues and the public at large.
4. Prepare themselves both physically and mentally, shall dress neatly and appropriately, and shall conduct themselves in a manner consistent with the high standards of the profession.
5. Be punctual and professional in the fulfillment of all obligations.
6. While enforcing the rules of play, remain aware of the inherent risk of injury that competition poses to the players and where appropriate, they shall inform the coaches and the league of situations that appear unreasonably hazardous.
7. Will not attend any league function; (practice, games, and/or meetings), under the influence of Drugs or Alcohol.
8. Will not smoke in the presence of children at league functions.

Name (Print): \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_



**City of Fitchburg  
Massachusetts 01420**

**CITY COUNCIL**

**President**

**Stephan Hay**

**Vice President**

**Marcus L. DiNatale**

**Ward Councillors**

**Ward 1 – Amy L. Green**

**Ward 2 – Paul R. Beauchemin**

**Ward 3 – Joel R. Kaddy**

**Ward 4 – Michael P. Kushmerek**

**Ward 5 – Angelo J. Bisol, Jr.**

**Ward 6 – Jody M. Joseph**

**Councillors at Large**

**Jeffrey A. Bean**

**David Clark**

**Marcus L. DiNatale**

**Stephan Hay**

**Dean A. Tran**

February 23, 2015

Alicia Day

Parks and Recreation Director

Parks Board Chairman

To Whom It May Concern:

At the regular meeting of the City Council held on February 17, 2015, the following PETITION was granted by unanimous vote. 11 members present. Board consists of 11 members.

289-14. Councillor Angelo Bisol, to designate members of Parks Commission as special municipal employees under the provisions of MGL Chapter 268A.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Anna M. Farrell", is written over a horizontal line.

Anna M. Farrell, Clerk

AMF/eak

(enc.)

No. 000283 - 2014

## REPORT

## PETITION

The Committee on

of


Legislative Affairs Committee

Councillor Angelo Bisol

to

to which was referred this petition would recommend that the petition be granted, be given leave to withdraw.

designate members of the Parks Commission as special municipal employees under the provision of MGL Chapter 268A.

  
Angelo Bisol  
Angelo Bisol

In City Council

In City Council

February 17, 2015

November 6, 2014

Referred to Committee on

Report Read and Accepted

Legislative Affairs Committee

Petition granted by unanimous vote. 11 members present. Board consists of 11 members.

Anna M. Farrell

Clerk

Anna M. Farrell

Clerk

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

"to designate members of the Parks Commission as special  
Municipal employees under the provisions of MGL Chapter 268A".

Councillor Angelo Bisol

FITCHBURG CITY CLERK  
2014 OCT 30 A 9:28

A TRUE COPY ATTEST.

*Paul H. Smith*  
City Clerk





CITY OF FITCHBURG  
MASSACHUSETTS  
OFFICE OF THE MAYOR

LISA A. WONG  
MAYOR

NATE LAROSE  
ASSISTANT TO THE MAYOR

IRENE HERNANDEZ  
ADMINISTRATIVE ASSISTANT

February 27, 2015

Dear Board of Parks Commissioners,

Thank you for your continued advocacy on behalf of the residents of Fitchburg and their access to quality recreational programs and facilities. I would like to share with you some thoughts and concerns regarding the current situation with the Civic Center.

First, I support the efforts to find out if the current contracts are valid. If there is to be litigation, I would like to focus on the legality of the lease, separate from any conversations on the use. I do not believe that any entity would want to make a sizable investment into a property when that issue could come up, whether it be this year or down the road. My main intent with this correspondence is to prepare the city for the implications of any changes in the immediate future.

Should the City Council choose to NOT move forward with litigation, I believe the best course of action would be to negotiate with Fitchburg State University to allow access to residents for any current or new use planned. My understanding is that individuals may decide to move forward with litigation on their own, and again, I hope the focus remains on the legality of the lease.

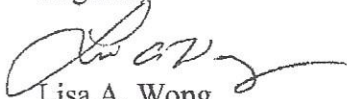
Should the City Council choose to move forward with litigation, we need to prepare for two possible outcomes: A) the contract is valid and B) the contract is not valid. Should Outcome A be determined, I would still like to negotiate as stated in the above paragraph. Should Outcome B be determined, I would like to prepare for what this may mean for the City and Fitchburg State University.

Outcome B brings a number of questions such as:

- Who determines if and how current users will allowed to continue their use of the facility immediately and in the longer term?
- Who will cover the costs associated with the maintenance of the facility and who will maintain the facility immediately and in the longer term?
- Who and how should we proceed with discussions with FSU as to the renegotiation of the lease?

These questions are being posed to our Law Department for review. I would like to be prepared for whatever outcome may occur as part of our due diligence. Please feel free to comment, to add additional questions, and to provide any answers you may have.

Regards,

  
Lisa A. Wong  
Mayor

cc. John Barrett, City Solicitor  
Fitchburg City Council

### MEDIATION PROPOSAL

The City of Fitchburg Board of Park Commissioners and Fitchburg State University (F.S.U.) would submit to non-binding mediation the issue of whether the Landry Arena is under the control of F.S.U. pursuant to the lease dated October 1, 2007, or under the control of the City of Fitchburg Board of Park Commissioners.

It is proposed that the law firm of McGregor and Associates be hired as mediator. The City of Fitchburg and F.S.U. will each pay \$2,500 toward the cost of mediation services. Each party would be allowed to submit a position statement together with any supporting documentation or legal authority to the mediator by March 16<sup>th</sup>, 2015. The mediator may meet with the parties before rendering a decision on or about March 31<sup>st</sup>, 2015. The University agrees it will suspend any work in the Landry that would demolish or defeat the purpose of using the Landry as a skating facility until a decision is rendered. The City and the Board of Park Commissioners agree to waive any prospective court action if the decision of the mediator upholds the position of F.S.U.

If the mediator decides in favor of F.S.U. the parties agree nonetheless to meet to discuss public access and use of the Wallace Civic Center and Landry facilities.

# McGREGOR & LEGERE

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 500  
BOSTON, MASSACHUSETTS 02108  
(617) 338-6464  
FAX (617) 338-0737

Luke H. Legere, Esq.  
E-mail: llegere@mcgregorlaw.com  
(617) 338-6464 ext. 126

## PROFILE

**LUKE H. LEGERE, Esq.** is a Partner with McGregor & Legere, P.C. He helps clients with a broad range of environmental, land use, and real estate issues including coastal and inland wetlands and waterways, zoning, subdivision, development agreements, conservation restrictions, state and local enforcement actions, stormwater, solid waste, hazardous waste, air pollution, site remediation, regulatory takings, affordable housing, and energy facility siting.

Mr. Legere routinely represents clients in permitting matters before conservation commissions, planning boards, zoning boards of appeals, boards of health, and other local environmental and land use boards and officials. He frequently represents clients in administrative enforcement proceedings and adjudicatory hearings before state agencies such as the Department of Environmental Protection (“DEP”). He regularly handles litigation in state and federal courts at both the trial and appellate levels.

Mr. Legere often writes and speaks on topics such as the Wetlands Protection Act, Chapter 91, Watershed Protection Act, Article 97, water pollution control, non-zoning wetlands bylaws, zoning and land use, regulatory takings, and brownfields. He has had articles published in newsletters for the Massachusetts Association of Conservation Commissions (“MACC”), Real Estate Bar Association (“REBA”), and Association of Massachusetts Wetlands Scientists (“AMWS”).

Mr. Legere teaches a course on Legal Research and Writing at New England Law | Boston. He leads workshops for the Citizen Planner Training Collaborative (“CPTC”) offering guidance to members of local boards on the State Zoning Act, Special Permits and Variances, and Writing Reasonable and Defensible Decisions.

Mr. Legere has served as co-chair of the Boston Bar Association’s Wetlands, Waterways, and Water Quality Committee. He served two terms on the Board of Directors for the Queechy Lake Club, a non-profit corporation dedicated to the preservation and protection of Queechy Lake in Canaan, NY.

Mr. Legere is a graduate of Colgate University and New England Law | Boston, cum laude.

Mr. Legere has enjoyed success in court and agency administrative proceedings, and is often able to achieve his clients’ desired result by finding creative solutions to negotiate settlement for seemingly intractable disputes.



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# McGREGOR & LEGERE

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GREGOR I. MCGREGOR, ESQ.  
E-mail: gmcgregor@mcgregorlaw.com  
(617) 338-6464 ext. 123

GREGOR I. MCGREGOR is the founder of New England's oldest environmental law firm McGregor & Associates, PC in Boston, formed in 1975 and now McGregor & Legere, PC. The firm handles all aspects of environmental law, land use, real estate, and related litigation. The firm is a founding member of the Environmental Law Network (ELN), an alliance of specialty law firms sharing expertise and experience for the benefit of their clients.

Mr. McGregor's court cases have created precedents in environmental impact statements, wetland and floodplain protection, hazardous waste liability, land preservation and taxation, Home Rule powers for cities and towns, enforcement and contempt remedies, eminent domain, constitutional and other open space protections, and the doctrine of Regulatory Takings.

Before 1975, Mr. McGregor was an Assistant Attorney General of Massachusetts and the first chief of the Attorney General's Division of Environmental Protection. Mr. McGregor is editor of the two-volume treatise on Massachusetts Environmental, Land Use, and Energy Law Conference and MCLE's Real Estate and Environmental Law Curriculum Advisory Committee. He received from MCLE in 2013 its Scholar-Mentor Award recognizing his dedication to legal scholarship and leadership.

Mr. McGregor chairs the Environmental Committee of the Real Estate Bar Association for Massachusetts (REBA) and serves as a member of the REBA Board of Directors. At the National CLE Conference in Vail, CO, he co-chairs an annual seminar on Environmental Law, Land Use, Energy & Litigation. Mr. McGregor is a graduate of Dartmouth College and Harvard Law School

Scholar-Mentor Award recognizing his dedication to legal scholarship and leadership. Mr. McGregor chairs the Environmental Committee of the Real Estate Bar Association for Massachusetts (REBA) and serves as a member of the REBA Board of Directors. At the National CLE Conference in Vail, CO, he co-chairs an annual seminar on Environmental Law, Land use, Energy & Litigation. Mr. McGregor is a graduate of Dartmouth College and Harvard Law School.





## PARKS COMMISSION PROPOSAL-GREEN STREET PARK

The NeighborWorks Community Leadership Institute Team, under the direction of the Twin Cities Community Development Corporation, and a group of vested residents that live around the Green Street Park have been working to identify needs to the infrastructure and safety in the park. As the park continues to age and deteriorate safety has become a concern for residents as many of the neighbors frequent this park. During 2014, the park had 30 basketball teams that used the park for practice, training and games comprising of 200 players and 65 neighborhood residents. In 2015, our goal is to increase the park use by 20%.

These improvements will work hand-in-hand with two current initiatives in the City: the "Fun 'n FITchburg" program to increase the physical activity of Fitchburg residents and the Working Cities Challenge grant that is working on the "Re-Imagine North of Main" program to improve the North of Main neighborhood, making it a better place for residents to live, work and invest.

**Funding**-The park improvements that we are proposing will be completed by project and will be based on funding availability. The current funding in place is \$2,000 but the team and residents will be looking at other funding opportunities and fundraising efforts to assist in playground infrastructure.

**Timeframe**-We will begin to assess the park and location for the infrastructure improvements as soon as the snow melts. Once we are able to complete the assessment we will be able to give a timeframe of when the improvements will begin and when we anticipate each of the projects to be completed. Projects will be completed no later than October, 2015.

**Projects**-We are asking for approval to complete 3 projects in Green Street Park through the fall of 2015. The breakdown of the projects is as follows:

- **Project 1-Pull-Up Bars and Parallel Bars**
  - The plan is to install one set of each type of bar-pull-up and parallel-for use by the residents to become more physically active. In addition, these items will be used for training purposes for the various teams that play in the park.
- **Project 2-Benches**
  - Identify the feasibility of repairing the bleachers that are currently in the park as they are becoming a safety hazard.
  - Install up to 2 permanently affixed recycled plastic backless park benches throughout the park for basketball players and/or residents to sit on.
- **Project 3-Trash Receptacles**
  - Install 2 permanently affixed trash receptacles in the park to address the cleanliness
  - Each trash receptacles will have artist designed tiles affixed to the exterior of the receptacle to incorporate art within the community

Attached to this proposal are some examples of each project outlined above.

We will work with the Recreation Department and the Parks Commission for final approval on each project as we move forward. In addition, we will work with the Recreation Department and the Parks Commission on the proper process, specifications, permits and contractor selection as required for park infrastructure.

Silas's Copy

PARKS COMMISSION PROPOSAL

Hello, my name is Silas Dobson. I adopted the park 3 years ago and I have been cleaning up the park since 2002. I'm here to represent the supporters of the Green Street Park. Over the (recent) years we have seen improvements attempted to be made here and there, but the park has aged and there are safety concerns to those who use the park. Due to this, we would like to make some improvements within the park and increase the number of people who use the park by 20%. We envision these improvements to consist of 3 projects. Project one would be to install parallel bars and pull up bars. Project two would include the installation of 2 benches near the basketball court. The final project would install 2 permanent trash receptacles that will incorporate art on the exterior. These improvements will work hand-in-hand with two current initiatives in the City: the "Fun 'n FITchburg" program to increase the physical activity of Fitchburg residents and the Working Cities Challenge grant that is working on the "Re-Imagine North of Main" program to improve the North of Main neighborhood, making it a better place for residents to live, work and invest. The improvements will be funded through a NeighborWorks America grant of \$2,000 and implemented with the help of a group of CDC staff and residents who attended the NeighborWorks Community Leadership Institute last fall. This group has been working with our community to identify needs in the park. We hope that the Parks Commission will approve our request and we thank you for your support. /TIRE

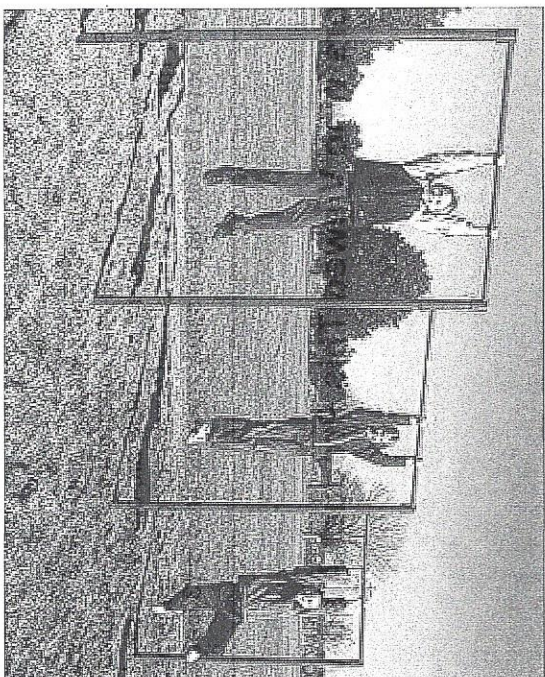


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- Triple Horizontal Bar

## Triple Horizontal Bar



\* Color:

Galvanized (unpainted) ▼

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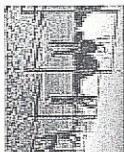
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Price:

\$461.00



Freight \$289.-



Model Number:

501-876

Brand:

SportsPlay

Weight:

110.00 LBS

Age Range:

5-12 years & Adult

Unit Size:

1' x 15'

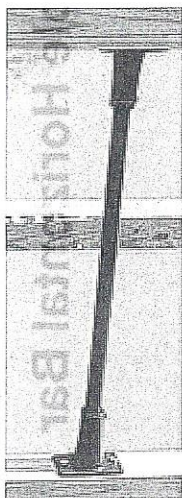
Safety Zone:

13' x 27'

## Product Description

With the ever-increasing popularity of junk food, obesity rate is a factor of major concern in modern societies across the globe. This affects the children in a very negative way. So to stay fit and slim is very important in these troubled times. You would need a variety of equipments to build on your fitness. One of them is the Triple Horizontal Bar. It is quite simple in structure. There are only three steel bars, which are galvanized or powder coated. The Triple Horizontal Bar is considered a great chinning trainer. The equipment that is used for swinging and general gymnastics will help you to build a strong body. The ground space required is very less which is approximately 1 foot x 15 feet, but the safety zone required is 13 feet x 27 feet. It is suitable for people above the age of 5 years.

## Customers Who Viewed This Product Also Viewed



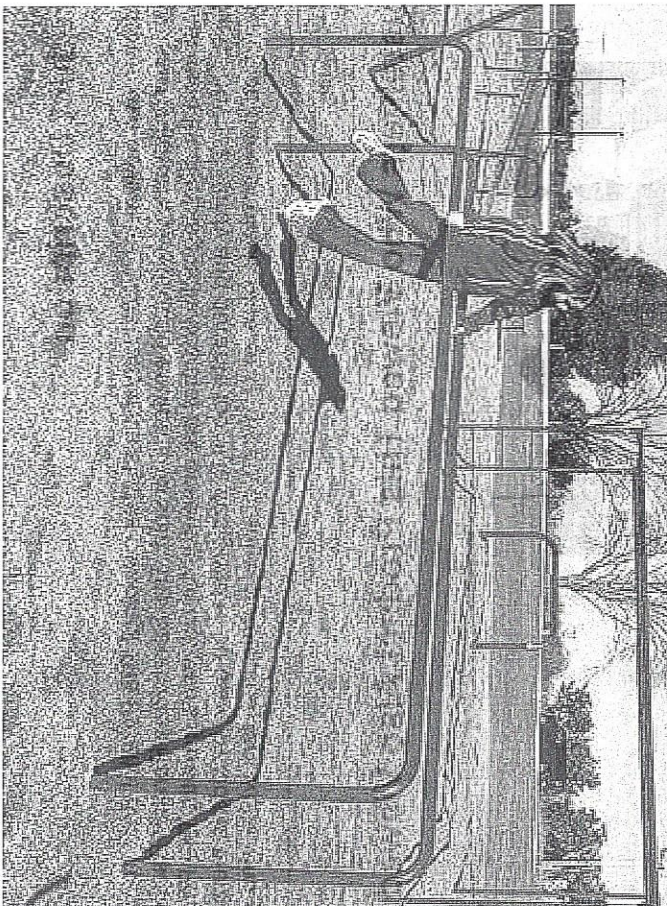
[Horizontal Chin Up Bar](http://www.playgroundequipment.com/triple-horizontal-bar/)

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## Twin Parallel Bars



\* Color:

Galvanized (unpainted)

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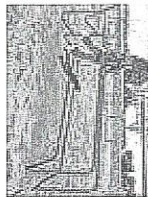
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Price:

\$276.00





Model Number:

511-108

Brand:

## SportsPlay

Weight:

76.00 LBS

Age Range:

5-12 years &amp; Adult

Unit Size:

1' x 12'

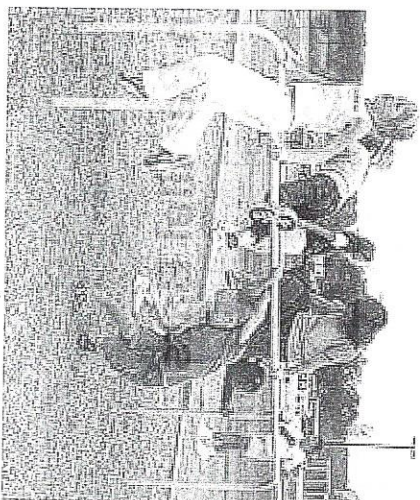
Safety Zone:

14' x 24'

## Product Description

Children love adventure, especially if it includes climbing! The Parallel Bars from SportsPlay have been designed for adventure loving kids and is one of the most popular of children's playground equipments sold. The SportsPlay Parallel Bars do not require a large playground space for setting up. An individual climber stands up and is used for climbing activities that are essential for children's growth. The Parallel Bars are great fitness equipment for growing kids and is available in multiple colors. They are sturdy and durable too. It is designed to be used by kids in the age group of 5-12 years up to adults. Choose your Parallel Bars from colors unpainted galvanized ones or black, blue, green, orange, purple, red, tan, white, and yellow today!

### Customers Who Viewed This Product Also Viewed



## Two Parallel Bars





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## E-Series Recycled Plastic Park Benches

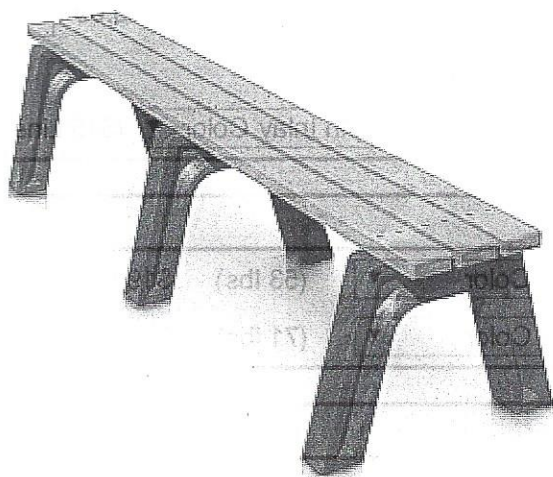


### High-Quality Recycled Plastic Park Benches for a Tight Budget

These cost saving, E-Series park benches are constructed of maintenance-free 100% recycled plastic 1-1/4" x 3" planks on sturdy bench ends with 3/4" gaps between boards. Not susceptible to rotting or splinters as found with wooden products. All stainless steel fasteners included. Optional anchor kit provides added security to bolt the product to surfaces as a theft deterrent. Available in the colors shown below.

#### Specifications

- 4' Models have Two Frame Legs.
- 6' Models have Three Frame Legs.
- 8' Models have Four Frame Legs.



**Model PLS6NB-P**  
Cedar Seat | Green Frame



**Model PLS6WB-P**  
Cedar Seat | Black Frame

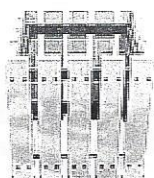
### Custom Router & Engraving

Personalize your bench with an engraved message or custom inlayed plaque. Square, rectangle, circle or oval shaped; plaque is supplied by customer and exact dimensions must be provided. At an additional charge, engraved lettering can be filled with a glossy resin inlay available in the resin color options as shown.

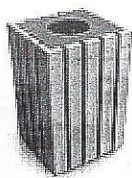
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#### Matching Products



Square  
Recycled Plastic  
Planter

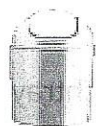


Square  
Recycled Plastic  
Trash Receptacles

#### Please Note

A customer service representative will contact you to collect custom engraving order specifications. Custom engraved lettering may need to be resized for best fit. If this should be the case, it will be noted on your proof prior to approval. Signed approval is required to process order. Engraved benches are custom made and are non-returnable.

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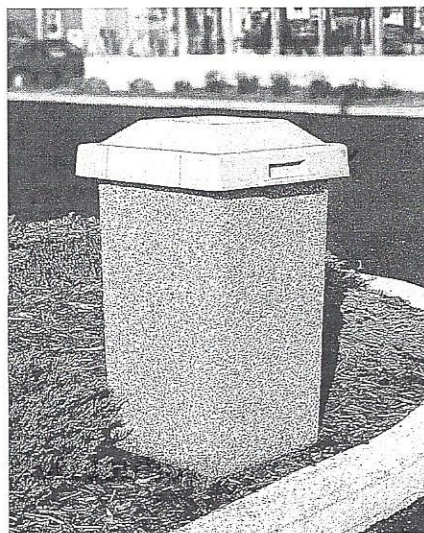
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**Wausau Tile**  
**30 Gallon**  
**Concrete**  
**Pitch In**  
**Top**  
**Outdoor**  
**Waste**  
**Container**  
**TF1010**

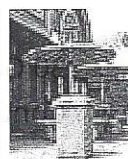
\$307.00 each

Shipping for 2 @ \$291.00

SKU: Shipping for 1 @ \$145.50  
TF1010

Shipping:  
Calculated at  
checkout

\* Finish:





**FITCHBURG RIVERFRONT PARKS AND TRAILS FUND  
ADVISORY COMMITTEE**

March 3, 2015

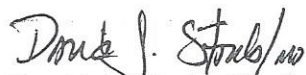
Jon Ricciutti, Chair  
Board of Park Commissioners  
310 Broad St.  
Fitchburg, Massachusetts 01420

Re: Riverfront Park Mosaic Project  
Johnny Appleseed Trail Association &  
Renee Della Piana, FSU

Dear Jon:

At its last meeting, the Fitchburg Riverfront Parks and Trails Fund Advisory Committee reviewed the description of the above-noted proposed art project on the concrete floodwall at Riverfront Park. Although the Riverfront Park Fund Committee has no approval authority over the project, we strongly support it, provided no financial commitment is required. We feel the mosaic project will be an asset to the Park. We also urge the Parks Board give their support as well.

Thanks.



David J. Streb, Chairman  
Fitchburg Riverfront Parks and Trails Fund Advisory Committee

c: DPW Commissioner  
Johnny Appleseed Trail Association



# **Riverfront Park Mosaic Project**

**Fitchburg State University Student, Renee Della Piana  
in partnership with The Johnny Appleseed Trail Association  
and Fitchburg City Ward Councilor Joel Kaddy.**

**Renee Della Piana  
(781) – 424 – 2239  
[rdellapi@student.fitchburgstate.edu](mailto:rdellapi@student.fitchburgstate.edu)**

# Table of Contents

Introduction.....	2
Background.....	3
Project Description.....	4 – 5
Design Layout.....	6 – 7
Project Status and Completion Timeline.....	8

## Introduction

My name is Renee Della Piana and I would like to introduce myself as the Fitchburg State University student that is working with the Johnny Appleseed Trail Association (JATA) and Fitchburg City Ward Councilor Joel Kaddy to create a public mosaic piece, featured at Riverfront Park. After visiting many Fitchburg public parks and spaces, Riverfront Park stood out to me in particular. If given permission I would love the opportunity to create a public mosaic piece at Riverfront Park, and encourage more public art to be featured throughout Fitchburg.



## Background

For the Spring 2015 semester at Fitchburg State University, I created an independent study focused around producing public art under the guidance of Humanities Professor Petri Flint. A scenic mosaic became the determined medium as soon as the Johnny Appleseed Trail Association came in contact about the opportunity to create a large-scale tile project.

Fitchburg City Ward Councilor Joel Kaddy (owner of "Once Upon A Tile") had put out a request looking for anyone to create a public art project using tiles and supplies provided by himself in order to continue the beautification of Fitchburg. Diane Burnette of JATA came in contact with him about the prospect, and they soon began to coordinate the project together. Joel Kaddy has worked on multiple projects including a previous project at Leominster High School with the school's art director Bruce Johnson. The project consisted of a series of tiled designs that were then grouted together to cover the entire School's amphitheater. Being so successful, Joel Kaddy wanted to provide the opportunity to create another extensive public art piece and is partnering with JATA to do so.

## Project Description

If given the opportunity to create the public mosaic at Riverfront Park, I would specifically focus on the concrete sidings to the left and right of the bridge (Image 1), as well as the far right concrete siding (Image 2).

Image 1

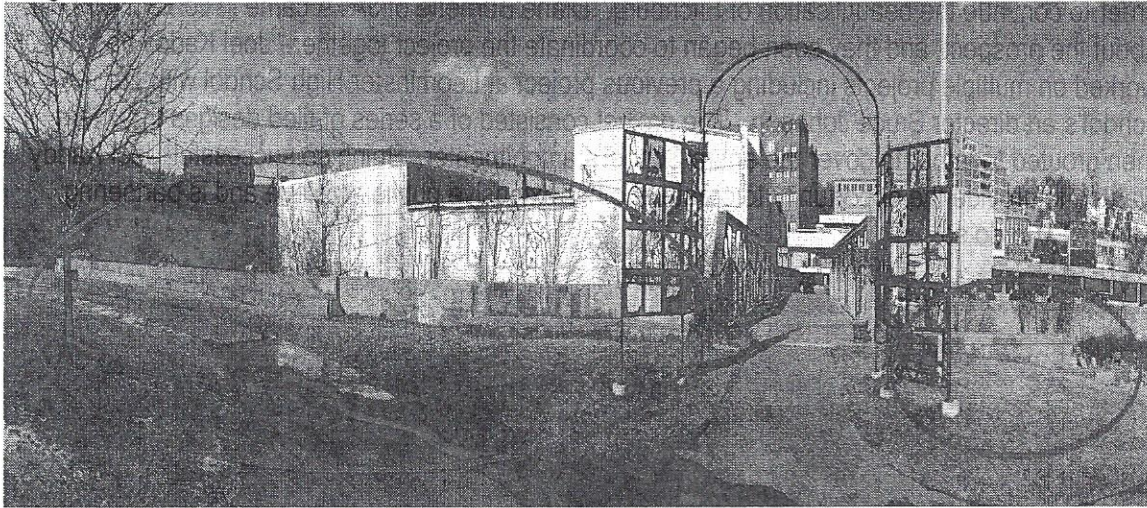
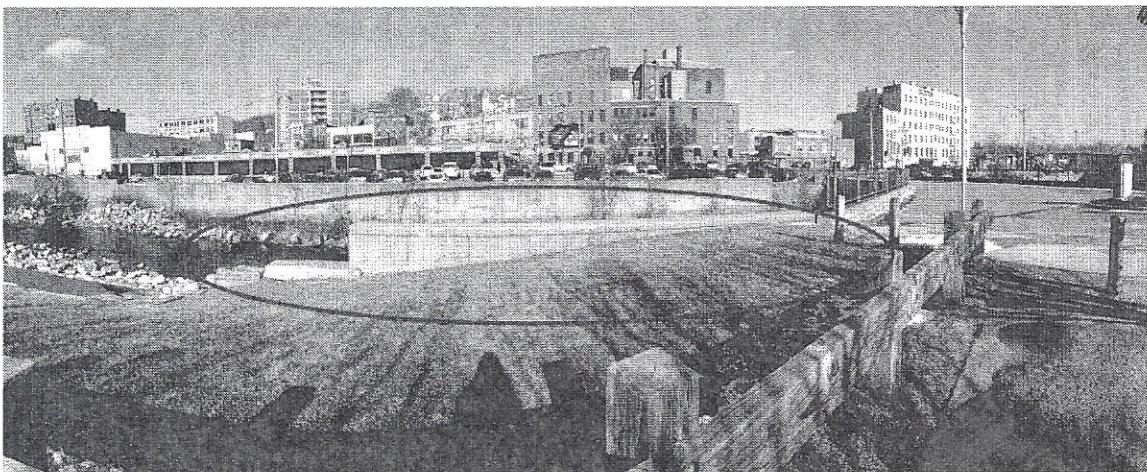


Image 2

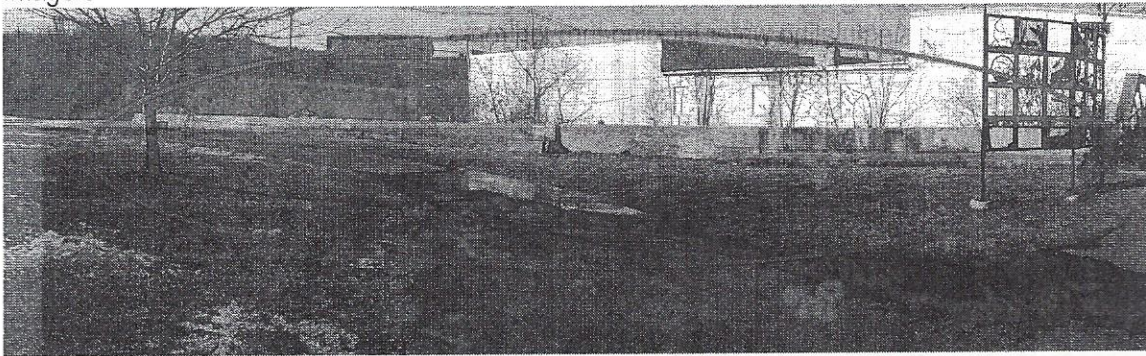




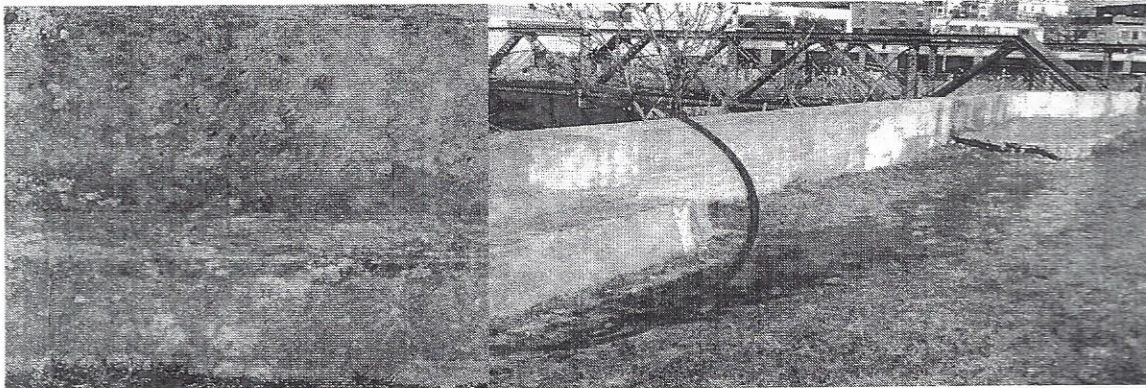
## Project Description Continued

To the left of the bridge, I zoomed in on specific features of the siding. The siding extends much further than on the right side, extending all the way to the end of the park (Image 3). Specific accents such as in Image 4, could be utilized as bench mosaic seating. Image 5 shows how more seating with tables could potentially be added as well.

Image 3



Images 4 & 5





## Design Layout

I would like to create an abstract mosaic, emphasizing on how color, shape, and size can create a sense of movement. Due to its location and Fitchburg's history of industrialization through water power, I wanted to create a flowing pattern that mimics water and streams.

Images 6 and 7 are influences for the piece. Image 6 shows how color ranges can be arranged to create a flowing movement. Image 7 mirrors the bottom of a creek with larger sized tiles and small pebbles emulating water trickling through rocks.

Image 6





## Design Layout Continued

Image 7





## **Project Status and Completion Timeline:**

The project is currently still in development, what has been accomplished:

- Partnership and approval of all three parties
- Schedule Breakdown
- Desired location chosen
- Design created
- Materials supplied
- Coordination of assembly in progress

### **Approximate Completion Timeline:**

- Development/Coordination December 2014 – March 2015
- Construction March 2015 – May 2015\*

*\*Dependent on snow.*

The project is currently slated to be completed by the end of the academic school year, but if unforeseen circumstances arise I will be available to complete the project as necessary.





## Our Teaching Gardens

### *An Overview*

### What are Teaching Gardens?

Teaching Gardens are where you, as a beginner gardener, can learn how to grow, harvest, and use your very own fresh produce for your household. Within three established community gardens in the area, we host weekly hands-on lessons, taught by experienced, friendly, patient volunteer teachers, or Garden Gurus. Our small class sizes of up to 10 gardeners per Guru ensure that everyone has the opportunity to ask questions and connect with others in the class. We hold a flexible lesson schedule with times based on our applicants' availability, from late April through mid October, so that everyone can experience the important seasonal aspects of food gardening during a typical New England growing season.

### Where are the Teaching Gardens?

The Teaching Gardens are located in three community gardens: Sundial Community Garden in Fitchburg, Pierce Meadow Community Garden in Leominster, and Maybarton Garden, which is due to open spring 2015 in Clinton.

### Who can participate?

We encourage families to garden together in our program and allow children ages 12 and up to join in during Teaching Garden lessons. Priority is given to income-qualified households in the Leominster, Fitchburg and Clinton region. (See income qualifications and fees on other side), but applicants outside this area or with incomes that fall above the income-qualifications are reviewed on a case-by-case basis.

### Is there a fee?

Income qualified applicants will be asked to make a suggested contribution based on their income ranging from \$2 to \$3 per lesson. If your income falls above our limits, you will be required to pay a fee of \$6 or \$10 per lesson, depending on your income. (See income qualifications and fees on other side.)

### The Give and Take

When you graduate from our Teaching Garden program, we want you to know, without a doubt, that you're able to care for a garden of your own. To get to that point, it's important to attend and really dig in to the lessons we offer. Each week, we'll chat a bit about seasonal garden topics, but you'll spend the bulk of your time tending your assigned plot because we feel it's the best way to learn. When you're watering, weeding and bug-squishing – that's when you'll run into problems, have questions and need help. And there's no better place for it than alongside our Gurus who're ready to offer guidance. All we ask is that, if you can't make it to a lesson, you give us 24 hours notice so we can plan ahead.

In return, you'll get all the gardening knowledge on planning, planting, maintenance, organic pest and disease management, harvesting, and healthy food preparation we have to give, all the fresh produce from your plot, access to our gardening workshops outside of lesson times, and a starter tool kit.

Best yet, after successfully completing the program, you'll be eligible for Growing Places support in establishing a backyard, community or container garden of your own!

### Still have questions?

Contact us at [staff@growingplaces.org](mailto:staff@growingplaces.org) or at (978) 598-3723 ext. 804



## Contributions and Fee Scale

*based on Federal Housing and Urban Development (HUD)  
FY 2014 Income Limits for Fitchburg-Leominster, MA area*

Household	up to 30% of median income	>30 to 50% of median income	> 50 to 80% of median income	> 80 to 100% of median income	> 100% of median income
1 Person	\$18,500	\$30,850	\$44,750	\$61,700	\$61,701
2 Person	\$21,150	\$35,250	\$51,100	\$70,500	\$70,501
3 Person	\$23,800	\$39,650	\$57,500	\$79,300	\$79,301
4 Person	\$26,450	\$44,050	\$63,900	\$88,100	\$88,101
5 Person	\$28,550	\$47,550	\$69,000	\$95,100	\$95,101
6 Person	\$30,650	\$51,100	\$74,100	\$102,200	\$102,201
7 Person	\$32,750	\$54,600	\$79,250	\$109,200	\$109,201
8 Person	\$34,900	\$58,150	\$84,350	\$116,300	\$116,301
<b>Suggested Contribution Per Lesson/25 week season</b>	<b>\$1/\$25</b>	<b>\$2/\$50</b>	<b>\$3/\$75</b>		
<b>Required Fee Per Lesson/25 week season</b>				<b>\$6/\$150</b>	<b>\$10/\$250</b>